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October 12, 2023

**VIA ECF**

The Honorable Gregory H. Woods  
United States District Court, S.D.N.Y.  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2260  
New York, New York 10007

Re: Kenneth P. Silverman, Esq. v. Citibank, N.A., Case No. 22-cv-5211 (GHW)

Dear Judge Woods:

We represent Plaintiff Kenneth P. Silverman, Esq., chapter 7 trustee (“Plaintiff”) in the above-referenced action (the “Action”). We write to inform the Court that the parties have re-filed Plaintiff’s complaint [Docket Nos. 1-1, 21] and all briefing regarding defendant Citibank, N.A.’s (“Citibank”) motion to dismiss the Action on the Court’s public docket [Docket Nos. 81-85], in accordance with the Court’s order dated September 29, 2023 [Docket No. 80].

Additionally, we write pursuant to Your Honor’s Individual Rules of Practice Rule 1.A, to re-file our request for a status conference regarding the discovery stay ordered in the Action on or about July 14, 2022 [Docket No. 28], inasmuch as it has come to our attention that our August 3, 2023 letter [Docket No. 73] – which we wrote as a follow up to the conference held on July 13, 2023 – was filed as a “letter,” rather than as a “letter motion,” on the Court’s electronic filing system, and thus may not have triggered the appropriate alerts. Citibank responded to our August 3, 2023 letter on the same date [Docket No. 74], we replied on September 5, 2023 [Docket No. 75], and Citibank sur-replied on September 6, 2023 [Docket No. 76].

Respectfully,



Howard W. Schub

cc: John Gueli, Esq. (via email)